

Claim Rejections Under 35 USC §103(a)

Claims 1-17, 21-31, and 33-40 are rejected as being unpatentable over U.S. Patent No. 6,405,034 (“Tijerino”) in view of Petite et al., U.S. Patent No. 6,747,557 (“Petite”).

Claim 32 is rejected as being unpatentable over Tijerino in view of Petite, and further in view of Kauffman et al., U.S. Patent No. 5,260,778 (“Kauffman”).

Claims 18-20 are rejected as being unpatentable over Tijerino in view of Petite, and further in view of Logan et al., U.S. Patent No. 5,732,216 (“Logan”).

Claim 1 is directed to a “method for providing content” which includes “determining at least one attribute of a person” and “determining a content segment based, at least in part, on said at least one attribute of said person”. The method of claim 1 further includes “transmitting said content segment to a first device associated with said person”, where “said first device [is] a handheld communication device located within a room”. The method of claim 1 further includes “receiving said content segment at said first device” and “transmitting said received content segment from said first device to a second device”, where “said second device [is] a handheld communication device and located within said room”.

In discussing the rejection of claim 1 in the pending Office Action, the Examiner acknowledged that the Tijerino reference “does not teach said device is capable of retransmitting content from one handheld device to another within a room”. The Examiner then went on to rely on the Petite reference as allegedly teaching, “a handheld device is capable of hopping transmission of information within the allowed range to another handheld device”. However, applicants respectfully submit that the actual teachings of the Petite reference do not support the Examiner’s reliance thereon.

Although Petite teaches hopping communication from one RF transmitter/transceiver to another, the reference fails to teach or suggest hopping communication between two devices within a room, and also does not teach communication from one handheld device to another. It is respectfully noted that nothing in Petite refers to any handheld device. One of ordinary skill in the art would understand the RF transmitter/transceivers 112, 114, 116 discussed in Petite to be devices that are installed in fixed locations so as to reliably perform their intended relay function within a predetermined geographical area. Moreover, Petite does not teach or suggest that the RF transmitters/transceivers are or could be handheld.

It is accordingly respectfully submitted that Petite does not in fact teach "a handheld device [that] is capable of hopping transmission of information...to another handheld device", as the Examiner claims. The rejections based on the Petite reference should therefore be reconsidered and withdrawn.

Still further, it is not seen how or why one of ordinary skill in the art who was concerned with an information retrieval system such as Tijerino's system would consider as relevant an emergency communication system such as Petite's system. Thus there is no sound basis for combining the teachings of Petite with the teachings of Tijerino, as the Examiner proposes to do. This is another reason why the proposed rejections should be reconsidered and withdrawn.

Like claim 1, each of the other independent claims, which are claims 27, 33, and 40, recites transmitting a content segment from one handheld device to another handheld device that is located within the same room. Thus the above remarks in regard to claim 1 are equally applicable to the other independent claims. The dependent claims are submitted as patentable on the same basis as the independent claims.

CONCLUSION

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-3460.

Respectfully submitted,



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